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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 6193.US.C1

First Inventor Patricia A. Billing-Medel

Title See 1 in Addendum

Express Mail Label No. EV319417785

U.S. PTO  
10/7/03

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

7510  
10/7/03

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 93]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Sheets 3]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper
- c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1499 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: See 2 in Addendum

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/193,538

Prior application information:

Examiner J. Souaya

Art Unit: 1634

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number: 23492 OR ☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type) Lisa V. Mueller Registration No. (Attorney/Agent) 38,978

Signature [Signature] Date 11/20/03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

112103

## Addendum

1. Reagents and Methods Useful for Detecting Diseases of the Breast
2. PTO form 1449 - 2 pgs. - in duplicate  
Revised Sequence Listing - 5 pgs.  
Request for Extension of Time - 2 pgs. (in duplicate)  
Associate Power of Attorney - 1 pg.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1,752.00

## Complete if Known

Application Number	
Filing Date	November 21, 2003
First Named Inventor	Patricia A. Billing-Medel
Examiner Name	
Art Unit	
Attorney Docket No.	6193.US.C1

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

01-0025

Abbott Laboratories

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	750.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$ )					750.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
43	-20** =	23	X	18	=	414
14	XXX* =	7	X	84	=	588
Multiple Dependent	-7** =					

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 1,002.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print/Type)	Lisa V. Mueller	Registration No. (Attorney/Agent)	38,978	Telephone	US-847-935-7550
Signature		Date	November 20, 2003		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Patricia A. Billing-Medel, *et al.*

Serial No.:

Group No.:

Filed: November 21, 2003

Examiner:

For: REAGENTS AND METHODS USEFUL FOR DETECTING DISEASES OF THE BREAST

Mail Stop: Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number EV319417785US

Date of Deposit: November 21, 2003

I hereby state that the following *attached* papers or fees

Utility Patent Application Transmittal– 2 pages

Fee Transmittal, 1 pg. (in duplicate)

Preliminary Amendment– 6 pgs.

Specification (85 pages); Claims (7 pages); Abstract (1 page); **Total: 98**

Drawings – Figures 1A – 2 (3 pages)

Paper copy of Sequence Listing – 5 pgs.

Paper copy of Sequence Listing – 5 pgs. (Revised)

Statement to Support filings and Submission in Accordance with 37 CFR 1.821 through 1.825– 2 pgs.

Request to Use Computer Readable Form from a Priority Application– 2 pgs.

Request for Extension of time – 2 pgs. (in duplicate)

Associate Power of Attorney – 1 pg.

Copy of Executed Declaration and Power of Attorney – 3 pgs.

Information Disclosure Statement– 2 pgs.

U.S. PTO Form 1449 – 2 pgs. (in duplicate)

Two Return-Receipt Postcards

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Wanda E. Smith



Signature of person mailing paper or fee

(Express Mail Certificate)

COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: P. A. Billing-Medel, et al.

Serial No: 09/193,538

Filed: November 17, 1998

For: REAGENTS AND METHODS USEFUL  
FOR DETECTING DISEASES OF THE BREAST

Attorney Docket No.: 6193.US.P1

Group Art Unit: 1634

Examiner: J. E. Souaya

Date: November 11, 2003

EXPRESS MAIL NO.: EV319417785US

**Certificate of Mailing under 37 CFR §1.10:**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as Express Mail Post Office to Addressee Service with sufficient postage in an envelope addressed to:

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

on November 21, 2003

Name of person signing  
this certificate: Wanda E. Smith

Signature: Wanda E. Smith

**REQUEST FOR EXTENSION OF TIME (37 CFR 1.136(a))**

Mail Stop: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby petitions the Commissioner of Patents and Trademarks for an extension of time for a total period of three months for filing the Continuation application of 09/193,538 under 37 CFR 1.116 from August 27, 2003 to November 27, 2003. Please charge Deposit Account 01-0025 in the amount of \$930.00 to cover the cost of the extension.

The Commissioner is hereby authorized to charge any additional filing fees required under 37 CFR 1.116 or 37 CFR 1.117 concerning this transaction, or to credit any overpayment to Deposit Account No. 01-0025. **A duplicate copy of this sheet is enclosed.**



23492

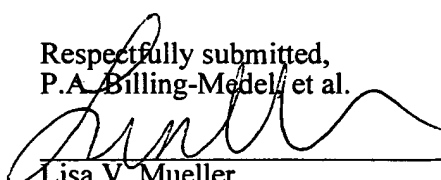
ABBOTT LABORATORIES  
Telephone: (847) 935-7550  
Facsimile: (847) 938-2623

Respectfully submitted,  
P.A. Billing-Medel, et al.

\_\_\_\_\_  
Mimi C. Goller  
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Attorney for Applicants

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Respectfully submitted,  
P.A. Billing-Medel et al.



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